

WEDNESDAY, JUNE 20, 2001

The hour of 3:00 p.m. having arrived, a quorum of the House was not detected.

Article II, Section 11 of the Constitution of the State of Tennessee provides that less than a quorum may adjourn the House from day to day.

A majority of the members present requested that the House recess until 9:00 a.m., Thursday, June 7, 2001.

RECESS MOTION

Without objection, the House stood in recess until 9:00 a.m., Thursday, June 21, 2001.

THURSDAY, JUNE 21, 2001

FIFTY-FIRST LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Shaw.

Representative Shaw led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present.....98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Tidwell; illness.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 568: Rep(s). Windle as prime sponsor(s).

House Joint Resolution No. 570: Rep(s). West as prime sponsor(s).

MESSAGE FROM THE GOVERNOR

June 19, 2001

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 143, 524, 538, 615, 680, 888, 1055, 1126, 1527, 1987, 2022, also, House Joint Resolution(s) No(s). 34, 524 and 542; with his approval.

JAY BALLARD, Counsel to the Governor.

ENROLLED BILLS

June 19, 2001

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 1184 and 1889.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

June 19, 2001

The Speaker signed the following: House Bill(s) No(s). 1184 and 1889.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 19, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1184 and 1889; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

THURSDAY, JUNE 21, 2001 – FIFTY-FIRST LEGISLATIVE DAY

REPORT OF CHIEF ENGROSSING CLERK
June 19, 2001

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 1184 and 1889.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
June 19, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1012, 1013, 1750, 1983; also, Senate Joint Resolution(s) No(s). 58, 420, 422, 423, 424, 425, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 448, 449 and 450 for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

SIGNED
June 19, 2001

The Speaker signed the following: Senate Bill(s) No(s). 1012, 1013, 1750, 1983; also, Senate Joint Resolution(s) No(s). 58, 420, 422, 423, 424, 425, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 448, 449 and 450.

MESSAGE FROM THE GOVERNOR
June 21, 2001

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 525, 1375 and 1603, with his approval.

JAY BALLARD, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR
June 21, 2001

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 228, without his signature.

JAY BALLARD, Counsel to the Governor.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 569** -- Highway Signs - "John Steele Cooper Bridge," U.S. Highway 70S at Van Buren-White county boundary. by *Curtiss.

House Finance, Ways and Means Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for June 22, 2001:

House Resolution No. 164 -- Memorials, Death - James Neal Markwood. by *Windle.

House Joint Resolution No. 572 -- Memorials, Professional Achievement - Sam Tharpe, President of Tennessee Municipal League. by *Ridgeway.

House Joint Resolution No. 573 -- Memorials, Recognition - Eric Jerome Dickey. by *DeBerry L.

House Joint Resolution No. 574 -- Memorials, Recognition - Mae D. Houston. by *Turner (Shelby).

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 2032 and 2034, was/were referred to the Delayed Bills Committee.

***House Bill No. 2032** -- Taxes - Increases governmental accountability; enacts tax reform; calls referendum on whether limited constitutional convention should be called to alter Article II, Section 28, relative to taxation. Amends TCA Titles 9, 13, 29, 56, 57, 67 and 71. by *Sharp. (SB1996 by *Fowler)

***House Bill No. 2034** -- Motor Vehicles, Titling and Registration - Authorizes issuance of Concerns of Police Survivors license plate; allocates 50 percent of funds produced from sale thereof to Concerns of Police Survivors. Amends TCA Title 55, Chapter 4. by *Godsey.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2031 -- Rutherford County -- Local Bill Held on House Desk

CONSENT CALENDAR

House Resolution No. 155 -- Memorials, Personal Occasion - Emma Eugene Davis, 75th birthday. by *Pruitt.

House Resolution No. 156 -- Memorials, Death - Richard Frank Robbins. by *Johnson.

House Resolution No. 157 -- Memorials, Interns - Kevin Charles Krushenski. by *Davidson.

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House Resolution No. 158 -- Memorials, Personal Occasion - James D. and Ama Sanders, 50th wedding anniversary. by *Patton.

House Resolution No. 159 -- Memorials, Personal Occasion - Donald and Zelda Frederick, 50th wedding anniversary. by *Patton.

House Resolution No. 160 -- Memorials, Heroism - J. D. Williams. by *Ferguson.

House Resolution No. 161 -- Memorials, Retirement - Tim M. Allen. by *Windle.

House Joint Resolution No. 563 -- Memorials, Professional Achievement - Helen Lee, Cleveland City School System 2002 Teacher of the Year Nominee. by *Bunch.

House Joint Resolution No. 564 -- Memorials, Retirement - Lewis Baker. by *Hood, *Beavers, *Rowland.

House Joint Resolution No. 567 -- Memorials, Sports - University of Tennessee baseball team, 2001 College World Series participant. by *Fitzhugh.

House Joint Resolution No. 568 -- Memorials, Retirement - Chaplain Charles W. McCaskey. by *Hargrove.

House Joint Resolution No. 570 -- Memorials, Retirement - General William G. Moore, Jr., President of Metropolitan Nashville Airport Authority. by *Sargent.

Rep. Fitzhugh moved that all members voting aye on House Joint Resolution No. 567 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 980 -- Sunset Laws - Wildlife resources commission, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 70, Chapter 1. by *Kernell, *Brooks, *Cooper B, *Bittle. (*SB130 by *Harper)

On motion, House Bill No. 980 was made to conform with **Senate Bill No. 130**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that **Senate Bill No. 130** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 932 -- Sunset Laws - Department of environment and conservation, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Brooks, *Cooper B. (*SB152 by *Harper)

On motion, House Bill No. 932 was made to conform with **Senate Bill No. 152**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that **Senate Bill No. 152** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

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Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 933 -- Sunset Laws - Department of personnel, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Brooks, *Cooper B. (*SB61 by *Harper)

On motion, House Bill No. 933 was made to conform with **Senate Bill No. 61**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that **Senate Bill No. 61** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 975 -- Sunset Laws - Terminates authority to create Tennessee local neighborhood development corporations; grandfathers in existing local neighborhood development corporations. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 13. by *Kernell, *Brooks, *Cooper B. (*SB85 by *Harper)

Further consideration of House Bill No. 975 previously considered on June 18, 2001, at which time it was reset for today's Calendar.

On motion, House Bill No. 975 was made to conform with **Senate Bill No. 85**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that **Senate Bill No. 85** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGE

***Senate Bill No. 1543** -- Historical Sites and Preservation - Transfers jurisdiction and control of Chucalissa Indian Village and Museum from University of Memphis to department of environment and conservation. by *Dixon. (HB1173 by *Cooper B, *Turner (Shelby), *Shaw, *Bowers, *Armstrong, *Jones U (Shelby), *Miller L, *Langster, *DeBerry L)

Further consideration of Senate Bill No. 1543 previously considered on June 18, 2001, at which time it was reset for today's Message Calendar.

Senate Amendment No. 2

AMEND Senate Bill No. 1543 by deleting SECTION 2 and substituting instead the following:

SECTION 2. This act shall have no effect unless sufficient funds are specifically appropriated by the 102nd Session of the General Assembly to provide full funding for the operation and the maintenance of the facility subject to the transfer provided for herein.

Senate Amendment No. 3

AMEND Senate Bill No. 1543 By deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. There is hereby created a special joint committee to study and review issues relative to the jurisdiction, control, and funding of Chucalissa Indian Village located in T. O. Fuller Park.

SECTION 2. The special joint committee shall consist of three (3) members of the House of Representatives and three (3) members of the Senate, to be appointed by the respective speakers. At least two (2) of the house members and two (2) of the senate members appointed by the respective speakers shall represent the county or a portion of the county in which the Chucalissa Indian Village lies.

SECTION 3. The department of conservation and environment, the University of Memphis, and all other appropriate state agencies shall provide assistance to the special joint committee upon request of the chair.

SECTION 4. All legislative members of the special joint committee who are duly elected members of the General Assembly shall remain members of such committee until the committee reports its findings and recommendations to the General Assembly.

SECTION 5. The special joint committee shall be convened by the member with the most years of continuous service in the General Assembly; and at its first meeting shall elect a chair, vice-chair, and such other officers the committee deems necessary.

SECTION 6. The committee shall timely report its findings and recommendations, including any proposed legislation, to the One Hundred Second General Assembly no later than February 1, 2002, at which time the committee shall cease to exist.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Cooper moved that the House nonconcur in Senate Amendment(s) No(s). 2 and 3 to **Senate Bill No. 1543**, which motion prevailed.

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 1693 -- Agriculture - Requires manufacturers and distributors to approve or disapprove warranty claims within 30 days of receipt from dealer; deems claims approved that are not disapproved within such 30-day period. Amends TCA Title 47, Chapter 25. by *Phelan. (*SB1835 by *Davis L)

Further consideration of House Bill No. 1693 previously considered on June 18, 2001, at which time it was reset for today's Message Calendar.

Division 1 to Amendment No. 1

AMEND House Bill No. 1693 by designating the existing language in Section 47-25-1802 in the amendatory language of SECTION 1 as subsection (a) and by adding the following as subsection (b) to that section:

(b) Any notice of a warranty claim given to a supplier under this section shall contain the following language in conspicuous type:

If no objections to this claim are made within thirty (30) days, then payment of the claim must be made within thirty (30) days as provided in Title 47, Chapter 25, Part 18.

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The provisions of this act shall not apply to any contract between a supplier and retailer entered into prior to the effective date of this act.

Rep. Phelan moved that the House concur in Division(s) No(s). 1 of Senate Amendment(s) No(s). 1 to **House Bill No. 1693**, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 1203 -- Bail, Bail Bonds - Expands power of bail bondsman or surety to arrest defendant on certified copy of undertaking outside state. Amends TCA Title 40, Chapter 11. by *Buck. (*SB385 by *Davis L)

Further consideration of House Bill No. 1203 previously considered on June 18, 2001, at which time it was reset for today's Message Calendar.

Rep. Buck moved that House Bill No. 1203 be reset for the Message Calendar on June 22, 2001, which motion prevailed.

HOUSE ACTION ON SENATE MESSAGE

***Senate Bill No. 93** -- Sunset Laws - Health facilities commission, June 30, 2007. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 11. by *Harper. (HB976 by *Kernell, *Brooks, *Cooper B)

Rep. Kernell moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 2 to **Senate Bill No. 93**, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTED
ON SENATE BILL NO. 93**

Pursuant to **Rule No. 73**, Representative Kernell moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 93, which motion prevailed.

The Speaker appointed Representatives Armstrong, Kernell, Rinks, Kent and Cole (Carter) as the House members of the Conference Committee on Senate Bill No. 93.

HOUSE ACTION ON SENATE MESSAGE

***Senate Bill No. 40** -- Sunset Laws - Judicial selection commission, June 30, 2007; limits members to two terms. Amends TCA Title 4, Chapter 29 and Title 17, Chapter 4. by *Harper. (HB1614 by *Kernell, *Brooks, *Cooper B)

Rep. Kernell moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 4 to **Senate Bill No. 40**, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTED
ON SENATE BILL NO. 40**

Pursuant to **Rule No. 73**, Representative Kernell moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 40, which motion prevailed.

The Speaker appointed Representatives Buck, L. DeBerry, Givens, McKee and Newton as the House members of the Conference Committee on Senate Bill No. 40.

HOUSE ACTION ON SENATE MESSAGE

***Senate Bill No. 58** -- Sunset Laws - Tennessee higher education commission, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 7. by *Harper, *Haynes. (HB974 by *Kernell, *Brooks, *Cooper B)

Rep. Kernell moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 1, 2 and 3 to **Senate Bill No. 58**, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTED
ON SENATE BILL NO. 58**

Pursuant to **Rule No. 73**, Representative Kernell moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 58, which motion prevailed.

The Speaker appointed Representatives Davidson, Kernell, Kisber, Whitson and Davis (Cocke) as the House members of the Conference Committee on Senate Bill No. 58.

RECESS MOTION

Rep. Davidson moved that the House stand in recess until 4:30 p.m., which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 163: Rep(s). McKee as prime sponsor(s).

House Bill No. 1582: Rep(s). Patton as prime sponsor(s).

House Bill No. 1948: Rep(s). Langster, Miller, Shaw, Cole (Dyer), J. DeBerry, L. DeBerry and Brown as prime sponsor(s).

**MESSAGE FROM THE SENATE
June 21, 2001**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2000 and 2019; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

THURSDAY, JUNE 21, 2001 – FIFTY-FIRST LEGISLATIVE DAY

MESSAGE FROM THE SENATE

June 21, 2001

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 550, 552, 553, 554, 555, 556, 558, 559, 560 and 561; all concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

ENROLLED BILLS

June 21, 2001

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 1693, 2000, 2019; House Joint Resolution(s) No(s). 550, 552, 553, 554, 555, 556, 558, 559, 560, 561; also, House Resolution(s) No(s). 155, 156, 157, 158, 159, 160 and 161.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

June 21, 2001

The Speaker signed the following: House Bill(s) No(s). 1693, 2000, 2019; House Joint Resolution(s) No(s). 550, 552, 553, 554, 555, 556, 558, 559, 560, 561; also, House Resolution(s) No(s). 155, 156, 157, 158, 159, 160 and 161.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 21, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1693, 2000, 2019; also, House Joint Resolution(s) No(s). 550, 552, 553, 554, 555, 556, 558, 559, 560 and 561; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

June 21, 2001

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 1693, 2000, 2019; also, House Joint Resolution(s) No(s). 550, 552, 553, 554, 555, 556, 558, 559, 560 and 561.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 21, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 61, 85, 130 and 152; for the signature of the Speaker.

RUSSELL A. HUMPHREY Chief Clerk.

SIGNED

June 21, 2001

The Speaker signed the following: Senate Bill(s) No(s). 61, 85, 130 and 152.

MESSAGE FROM THE SENATE

June 21, 2001

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1385; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

MESSAGE FROM THE SENATE

June 21, 2001

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1962; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk.

Senate Bill No. 1962 -- Maryville - Subject to local approval, authorizes establishment of adequate public facilities requirements for approval of new or expanded commercial or residential development; requires public hearings and adoption of ordinances for such purposes by two-thirds vote. Amends Chapter 27 of the Private Acts of 1967; as amended. by *Clabough. (HB1997 by *Overbey, *McCord)

ENGROSSED BILLS

June 21, 2001

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 563, 564, 567, 568 and 570.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Supplemental Consent Calendar for June 21, 2001:

House Resolution No. 162 -- Memorials, Personal Occasion - Trula Crosswhite, 100th birthday. by *Mumpower.

House Resolution No. 163 -- Memorials, Death - Charles Andrew Yount. by *Phelan, *Johnson.

House Joint Resolution No. 571 -- Memorials, Congratulations - R. Michael Browder, Chairman, American Public Power Association. by *Mumpower, *Godsey, *Davis (Washington), *Westmoreland.

**CONSENT CALENDAR
June 21, 2001**

The following local bills have been placed on the Supplemental Consent Calendar for **June 21, 2001**: House Bill(s) No(s). 1997.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

ROLL CALL DISPENSED WITH

On motion of Rep. Davidson, the roll call was dispensed with.

ANNOUNCEMENTS

SUPPLEMENTAL CONSENT CALENDAR

House Resolution No. 162 -- Memorials, Personal Occasion - Trula Crosswhite, 100th birthday. by *Mumpower.

House Resolution No. 163 -- Memorials, Death - Charles Andrew Yount. by *Phelan, *Johnson.

House Joint Resolution No. 182 -- Memorials, Personal Achievement - Michelle Fortner, Tennessee's Junior Miss 2001. by *Black.

House Joint Resolution No. 571 -- Memorials, Congratulations - R. Michael Browder, Chairman, American Public Power Association. by *Mumpower, *Godsey, *Davis (Washington), *Westmoreland.

House Bill No. 1997 -- Maryville - Subject to local approval, authorizes establishment of adequate public facilities requirements for approval of new or expanded commercial or residential development; requires public hearings and adoption of ordinances for such purposes by two-thirds vote. Amends Chapter 27 of the Private Acts of 1967; as amended. by *Overbey, *McCord. (SB1962 by *Clabough)

On motion, House Bill No. 1997 was made to conform with **Senate Bill No. 1962**; the Senate Bill was substituted for the House Bill.

Pursuant to **Rule No. 50**, Rep. Miller moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Supplemental Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Supplemental Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

SUPPLEMENTAL MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1385** -- Hospitals and Health Care Facilities - Adds renal dialysis clinics to list of health care facilities licensed and regulated by department of health. Amends TCA Title 68, Chapter 11. by *Armstrong, *McDaniel, *Pruitt. (SB1662 by *Ford J, *Atchley)

Senate Amendment No. 1

AMEND House Bill No. 1385 By adding the following language as a new section immediately preceding the last section in the bill as printed and by appropriately renumbering the last section:

SECTION ____ Tennessee Code Annotated, Section 68-11-204(a)(1), is amended by adding the following sentence at the end of the subsection:

Licensure for renal dialysis clinics shall begin on July 1, 2002.

AND FURTHER AMEND by adding the following language as a new section immediately preceding the last section in the bill as printed and by appropriately renumbering the last section:

SECTION ____ Tennessee Code Annotated, Subsection 68-11-209(a), is further amended designating the existing subsection "a" as "(a)(1)" and by adding the following language as a new subdivision "(a)(2)":

(2) For renal dialysis clinics, any rules promulgated after July 1, 2001, but before January 1, 2004, shall not be implemented until January 1, 2004. In addition to any filing or hearing required by Tennessee Code Annotated, Title 4, Chapter 5, regarding such initial rules for renal dialysis clinics, the department shall file a notice of proposed rulemaking concerning such rules promulgated pursuant this act with the house health and human resources committee and the senate general welfare, health and human resources committees at least thirty (30) days prior to the filing of such rules with the secretary of state pursuant to Tennessee Code Annotated, Title 4, Chapter 5. The department shall present the substance of such rules in hearings before the previously named committees before the hearing of such rule by the House Government Operations Committees. No rule may be filed with the secretary of state, unless the department has complied with the provisions of this section.

Senate Amendment No. 2

AMEND House Bill No. 1385 By deleting the following language added by House Amendment 1 [HA 419]:

SECTION _____. In addition to any filing or hearing required by Tennessee Code Annotated, Title 4, Chapter 5, the department shall file a notice of proposed rulemaking concerning any rules promulgated pursuant to the provisions of this act with the house health and human resources committee and the senate general welfare, health and human resources committee at least thirty (30) days prior to the filing of such rule with the secretary of state pursuant to Tennessee Code Annotated, Title 4, Chapter 5. The department shall offer to present the substance of such rules in hearings to the house health and human resources committee and the senate general welfare, health and human resources committee before the hearing of such rule by the House Government Operations Committees. No such rule may be filed with the secretary of state unless the department has complied with the provisions of this section.

SECTION _____. The provisions of this act shall expire on July 1, 2003.

Rep. Armstrong moved that the House nonconcur in Senate Amendment(s) No(s). 1 and 2 to **House Bill No. 1385**, which motion prevailed.

ENGROSSED BILLS

June 21, 2001

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 182 and 571.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

CONSENT CALENDAR

June 21, 2001

The following local bills have been placed on the Consent Calendar for **June 22, 2001**: House Bill(s) No(s). 2031.

ROLL CALL

The roll call was taken with the following results:

Present.....94

Representatives present were: Arriola, Baird, Beavers, Bittle, Black, Bone, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Clem, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Washington), Davis (Cocke), DeBerry J, DeBerry L, Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Johnson, Jones S, Jones U, Kent, Kernell, Kisber, Langster, Lewis, Maddox, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Overbey, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Rowland, Sands, Sargent, Scroggs, Sharp, Shaw, Shepard, Stanley, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Turner (Davidson), Vincent, Walker, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

RECESS MOTION

On motion of Rep. Davidson, the House stood in recess until 1:30 p.m., Friday, June 22, 2001.